IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33762 of 2008
ABHAY KUMAR TIWARY @ RABIN
S/O-Late Binay Kumar Tiwary, R/O-Vill-Tiwary Chak, P.S.-Naubatpur, Distt.-Patna.
....Petitioner.
Versus
STATE OF BIHAR
WITH
Cr.Misc. No.42562 of 2008
VINAY KUMAR GUPTA
S/O-Late Yamuna Prasad Gupta, R/O-Vill-Ajma, P.S.-Naubatpur, Distt.-Patna at present resideing at Karbigahiya, P.S.-Jakkanpur, Distt.-Patna. .....Petitioner.
Versus
STATE OF BIHAR
WITH
Cr.Misc. No.39085 of 2008
RAJIV RANJAN YADAV @ RAJU YADAV
S/O-Late Rama Singh, R/O-Vill-Bari Pahari, P.S.- Agam Kuan, Distt.- Patna. .....Petitioner.
Versus
STATE OF BIHAR

3/ 14.11.2008 Since all the three applications have arisen out of one occurrence i.e. Naubatpur P.S. Case No. 74 of 2008, they have been heard together and are being disposed of by this common order.

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The Chowkidar has found two dead bodies of unknown and his fardbeyan resulted in registration of a case against unknown under Sections 302, 201/34 of the Indian Penal Code. In course of investigation the deceased were identified to be Khalasi and Driver of the truck.

Submission on behalf of petitioner Rajiv Ranjan Yadav @ Raju Yadav is that his name has come on the basis of confessional statement of Prabhat Ranjan @ Guddu and except that there is nothing against him.

Submission on behalf of other petitioners is that they are grain merchant. Vinay Kumar Gupta has sold rice to petitioner Abhay Kumar Tiwary @ Rabin and it was recovered from his possession. It

has been submitted on behalf of Abhay Kumar Tiwary @ Rabin that he was not knowing that the rice was stolen property. He has purchased it through bona fide transaction.

On behalf of Vinay Kumar Gupta, it has been submitted that his name has come on the basis of confessional statement of co-accused.

Other co-accused persons Manoj Kumar, Prabhat Ranjan have been granted bail by this Court. There is no witness of the occurrence.

Considering the facts and circumstances of the case, the petitioners Abhay Kumar Tiwary @ Rabin (in Cr. Misc. No. 33762 of 2008), Vinay Kumar Gupta (in Cr. Misc. No. 42562 of 2008) and Rajiv Ranjan Yadav @ Raju Yadav (in Cr. Misc. No. 39085 of 2008) are ordered to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur in connection with Naubatpur P.S. Case No. 74 of 2008.

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kksinha/ **(Shyam Kishore Sharma, J.)**